



[REDACTED]

Dept.: E/M

By: GJM/PAS/scm

OSMM&N File No. 212844US2

Serial No. 09/941,610

In the matter of the Application of: Tsuneyoshi MURANAKA

For: SYSTEM AND METHOD FOR DATA COMMUNICATION

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon

- Dep. Acct. Order Form
- PTO Short Cover Sheet
- Petition Under 37 CFR § 1.181(a)(3) Re: Reasons for Allowance



I:\ATTYPAS\21\S\212844US\FR.DOC

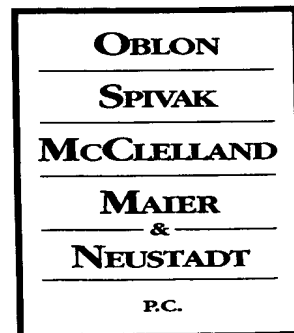
CCFY

[REDACTED]



Docket No.: 212844US2

DATE ALLOWED: April 26, 2005



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/941,610
Applicants: Tsuneyoshi MURANAKA
Filing Date: August 30, 2001
For: SYSTEM AND METHOD FOR DATA
COMMUNICATION
Group Art Unit: 2642
Examiner: TIEU, BENNY QUOC

SIR:

Attached hereto for filing are the following papers:

PETITION UNDER 37 CFR §1.181(a)(3) RE: REASONS FOR ALLOWANCE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
Registration No. 25,599

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Paul A. Sacher
Registration No. 43,418

COPY

DOCKET NO: 212844US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TSUNEYOSHI MURANAKA : EXAMINER: TIEU, BENNY QUOC
SERIAL NO: 09/941,610 : DATE ALLOWED: APRIL 26, 2005
FILED: AUGUST 30, 2001 : GROUP ART UNIT: 2642
FOR: SYSTEM AND METHOD FOR :
DATA COMMUNICATION

PETITION UNDER 37 CFR §1.181(a)(3) RE: REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant respectfully petitions in accordance with 37 C.F.R. §1.181(a)(3) to compel reconsideration by the Examiner of his comments on statement of reasons for allowance (CSRA).

37 CFR §1.181(a)(3) allows petition to invoke the supervisory authority of the Commissioner in appropriate circumstances.

In the present case, the Examiner's CSRA inappropriately mischaracterizes the invention by placing an unwarranted interpretation of the claims on record. Specifically, there appears to be no support in independent claims 1 and 14 for the specific language used by the Examiner in his statement of reasons for allowance beginning in part 2 of page 2, line 14 (thereof) through page 3, line 7.

Consequently, this is an appropriate circumstance in which to invoke the supervisory authority of the Commissioner to compel the Examiner to reconsider his CSRA.

CC 21

Application No. 09/941,610
Reply to Notice of Allowance of 04/26/05

Accordingly, it is respectfully submitted that this Petition Under 37 CFR §1.181(a)(3) be granted compelling the Examiner to reconsider his CSRA and thereby issue a corrected supplemental CSRA.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (73) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Gregory J. Maier
Attorney of Record
Registration No. 25,599

Paul A. Sacher
Registration No. 43,418

I:\ATTY\PAS\21\S\212844US\181 PET-COMM.DOC

COPY